

City of Portland, Oregon Bureau of Development Services Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Ryan, Commissioner Rebecca Esau, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portland.gov/bds

Date: January 21, 2022
To: Interested Person

From: Arthur Graves, Land Use Services

503.865.6517 | Arthur.Graves@portlandoregon.gov

NOTICE OF A TYPE II DECISION AND NOTICE OF A TENTATIVE APPEAL HEARING DATE FOR A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has denied a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website http://www.portlandonline.com/bds/index.cfm?c=46429. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

If this case is appealed, the hearing for the appeal will be held Monday, February 28, 2022 @ 1:30p.m. with the Portland Historic Landmarks Commission. Due to the public health emergency there will be no in-person meeting. The hearing will take place online via ZOOM, please contact the Case Planner, Arthur Graves, for information (contact information at top of page) and access the following link: https://www.portland.gov/bds/landmarks. If a timely and valid appeal is filed by the end of the appeal period at 4:30pm on February 04th, 2022, no supplemental mailed hearing notice will be sent.

If appealed, the appeal will be listed on the online Historic Landmarks Commission hearing agenda on Monday, February 07^{th} , 2022. Online hearing schedules are available on the BDS web page (www.portlandonline.com/bds \rightarrow Zoning & Land Use \rightarrow Notices, Hearings, Decisions... \rightarrow Public Hearings \rightarrow Historic Landmarks Commission Agenda). Copies of the appeal filing will be available by contacting the case planner, Arthur Graves (contact info. at top of page) on or after Friday, February 07^{th} , 2022.

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision.

The reasons for the decision are included in the version located on the BDS website http://www.portlandonline.com/bds/index.cfm?c=46429. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 21-086690 HR: STOREFRONT ALTERATIONS

GENERAL INFORMATION

Applicant: Kyle Womack | Hennebery Eddy Architects Inc

(**Primary Contact**) 921 SW Washington St Suite 250 | Portland OR 97205

kwomack@henneberyeddy.com | 503.542.1182

Applicant: Erica Thompson | Hennebery Eddy Architects

921 SW Washington St, Suite 250 | Portland OR 97205

Owner: 1547 Crs-Pittock Block LLC

444 W Lake St Ste 2100 | Chicago, Il 60606

Owners Agent: Julie Coates | 1547 Critical Systems Realty

921 SW Washington St | Portland, OR 97205

Site Address: 921 SW WASHINGTON STREET

Legal Description: BLOCK 215 LOT 1-8, PORTLAND

Tax Account No.: R667723060 **State ID No.:** 1N1E34CC 04800

Quarter Section: 3029

Neighborhood: Portland Downtown, contact Wendy Rahm at wwrahm@aol.com
Downtown Retail Council, contact at info@portlandalliance.com
Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - West End (Sub-District)

Other Designations: National Historic Landmark: Pittock Block, listed Sept. 08, 1987.

Zoning: CXd: Central Commercial with Historic Resource Protection Overlay

and Design Overlay

Case Type: HR: Historic Resource Review

Procedure: Type II, an administrative decision with appeal to the Landmarks

Commission.

Proposal:

The applicant seeks Historic Resource Review approval for a proposal to make exterior alterations to the ground floor on the west, south and east elevations of the Pittock Block building, a Nation Historic Landmark originally constructed in 1913, in Central City Plan District and West End Sub-District of downtown Portland. Alterations include:

• West Elevation:

o Remove existing non-original double doors (two pairs) to be replaced with new sliding doors (one pair) in the same location.

South Elevation:

o Remove existing non-original double doors (two pairs) to be replaced with new sliding doors (one pair) in the same location.

• East Elevation:

- o Remove existing non-original double doors (two pairs) to be replaced with new sliding doors (two pairs) in the same location.
- o Remove existing non-original window systems in the three (3) central bays, for a total of nine (9) windows, to be replaced with display windows (3'-10" in depth) in each location. Proposed new display windows will be approximately two (2) feet shorter in height than existing to allow for proposed new decorative metal grilles to be located above each of the proposed nine new display windows. New decorative metal grilles are being installed to accommodate proposed venting.

Historic resource review is required for non-exempt exterior alterations to Landmark structures.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are:

- Central City Fundamental Design Guidelines
- 33.846.060.G Other Approval Criteria

ANALYSIS

Site and Vicinity:

The site is the Pittock Block Building, which is a designated Historic Landmark listed on the National Register of Historic Places. The building occupies the entire block bounded by SW Stark Street, 9th Avenue, Washington Street, and 10th Avenue. This 20th-Century Classical landmark has smooth-faced buff-colored brick, with glazed terra-cotta ornamentation. Decorative motifs include antefixae, dentils, and cartouche. The upper floors have double-hung windows. On the interior, there's a terrazzo floor and marble wainscoting in the arcade. The roof contains several structures, including an elevator machine room, stair tower, penthouse, stack, and several mechanical units.

Regarding area context and amenities, the site is situated in a location that has access to a number of the amenities that typify what many consider the essence of Portland livability. Within a comfortable (meaning level grade) 5 minute or quarter-mile walk from the site are scores of restaurants, retail outlets, galleries and eclectic shops that compose the downtown subdistrict of the Portland Central City District. Retail outlets within this range include both those that are long established such as Powell's City of Books, and Jake's as well as newer tenants to the area including Lardo, the Ace Hotel and the dozens of independent food carts located in the block directly to the south of the site. Parks within a 5 minute walk of the site include O'Bryant Square to the immediate east, Pioneer Courthouse Square four blocks to the southeast and the North Park blocks three blocks to the north.

Regarding public transportation, the site is well served with a number of options and alternatives. The MAX line has north and south lines four blocks to the east on SW 6th Avenue and SW 5th Avenue. East-west service is provided three blocks to the south on SW Morrison St. and SW Yamhill St. The streetcar's north route runs adjacent to the site on SW 10th Avenue; the south route is a block to the west on SW 11th Avenue. Frequent bus transit service (defined by Trimet as at least every 15 minutes) operates on SW Washington Street with the #15. In addition, the transit mall is only four blocks to the east and provides access to nearly 20 more bus line routes. SW Broadway is designated as a City Bikeway within the City's Transportation Service Plan (TSP). The area is also within the Downtown Pedestrian District.

Zoning:

The <u>Central Commercial</u> (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The <u>Design overlay zone</u> ensures that Portland is both a city designed for people and a city in harmony with nature. The Design overlay zone supports the city's evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design standards and design guidelines that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;
- Contribute to a public realm that encourages social interaction and fosters inclusivity in people's daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

The <u>Historic Resource Protection</u> overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies

recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

Land Use History: City records indicate that prior land use reviews include the following:

- **LUR 01-00615 HDZ:** Historic Design Review approval for storefront renovation.
- **LU 02-125483 HDZ:** Historic Design Review approval for telecommunications equipment attached to an existing penthouse.
- **LU 07-145802 HDZ:** Historic Design Review approval for eight panel antennas and 10 microwave dishes on the rooftop.
- **LU 08-154391 HDZ:** Historic Design Review approval for storefront rehabilitation.
- **LU 11-172744 HDZ:** Historic Design Review approval for restoration of four storefront bats on the south façade of the building. Restoration to original condition. Approval also to alter two non-historic storefront bays on the north façade.
- **LU 13-229760 HR:** Historic Design Review approval for telecommunications equipment attached to an existing penthouse and equipment room.
- **LU 15-229760 HR:** Historic Design Review approval for telecommunications equipment including the addition of eight (8) new "notch filters", one for each of the existing 8 Verizon antennas.
- **LU 21-076975 HR:** Historic Design Review approval to locate three (3) mechanical chillers on the roof. The proposed chillers are ganged in the north-east quadrant of the roof and setback approximately 20-feet from the north and east roof edges. Proposed chillers are approximately 8-feet in height, 7-feet wide, and 32-feet in length. Chillers are proposed to be set approximately 3-feet off the existing roof surface.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed November 23, 2021.

- Bureau of Development Services- Site Development: Jason Butler-Brown, November 24, 2021. No concerns. (Exhibit E-1)
- Portland Bureau of Transportation: Tammy Boren-King, November 29, 2021. No objections to the development. (Exhibit E-2)
- Water Bureau: Michael Puckett, December 09, 2021. No concerns. (Exhibit E-3)
- Fire Bureau: Dawn Krantz, December 10, 2021. No concerns. (Exhibit E-4)
- Bureau of Environmental Services: Abigail Cermak, December 13, 2021. No concerns. (Exhibit E-5)
- Bureau of Development Services Life Safety/Building Code Section: Tara Carlson, December 16, 2021. No concerns. (Exhibit E-6)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 23, 2021. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846, Historic Reviews

Purpose of Historic Resource Review

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Resource Review Approval Criteria

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is a designated Historic/Conservation Landmark. Therefore the proposal requires Historic Resource Review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10. In addition, because the site is located within the Central City, the relevant approval criteria are the Central City Fundamental Design Guidelines.

G. Other Approval Criteria:

- **1. Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
- **2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.

Findings for 1 and 2:

The historic character of the landmark building known as The Pittock Block will be maintained with the installation of the proposed alterations to the west, south, and east storefront systems. Existing entry door systems in these locations are non-original and recessed within the overall ground floor footprint of the building, approximately 8-feet on the west elevation, 10-feet on the south elevation, and 8-feet on the east elevation, and so the alterations in these locations will not be significantly noticeable on their respected elevations. In addition, proposed entry door systems will be installed in the same openings as the existing non-original systems to be removed and existing original material will not be impacted or removed.

Proposed alterations to window systems in the three central bays on the east elevation (the three bays between the two existing entrances on this elevation) remove existing non-original windows and replace with new systems in the same locations. Existing original material, such as the pilasters and decorative belt course above the windows (currently obscured from view by fabric awnings) will not be impacted. The proposed decorative metal grilles, whose pattern is drawn from historic grilles elsewhere on the building, are integrated along the top of these window systems, do not impact original materials, and will largely be obscured from view with the reinstallation of the fabric awnings after this proposed work is complete.

Therefore, these criteria are met.

- **3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
- **4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.
- **5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

Findings for 3, 4, and 5:

No existing changes that have acquired historic significance on the National Landmark building are proposed to be removed or altered. Similarly, no historic features are being replaced or repaired as part of the proposal. Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will

not be used. No surface treatments are proposed that will impact historic materials. Care will be taken during installation to protect adjacent materials and historic features.

Therefore, these criteria are met.

6. Archaeological resources. Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.

Findings:

The proposal is for alterations to storefront systems and windows on the landmark building. No work requiring ground disturbance is proposed and so archaeological resources will not be affected or disturbed.

Therefore, this criteria does not apply

- **7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.
- **8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

Findings for 7 and 8:

The proposed windows, transom grilles, and entry doors will not remove or destroy any historic materials. The new entries consist of modern sliding doors and will be differentiated from historic features. The storefront windows will include modern framing and insulated glazing units, with a frame color that matches existing storefronts. The transom grilles feature a pattern informed by historic documents, but will be constructed out of modern water jet cut metal and painted to match the storefronts.

The proposed new entry systems and storefront windows will not impact the Landmark's massing, size, scale, or architectural features. New entry systems and storefront windows will be installed within existing rough openings, preserving the historic relationship between walls and openings. The transom grilles will be located behind the existing awnings, continuing a pattern that exists elsewhere at the ground floor to accommodate ventilation (on the south portion of the west façade). The scale of the transom grille pattern is compatible and of a similar scale to existing historic ventilation grilles.

Therefore, these criteria are met.

- **9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.
- **10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

Findings for 9 and 10:

The installation of the proposed storefront systems and windows does not impact the essential form and integrity of the historic resource and its environment. If removed in the future, the form and integrity of the building would remain unaffected.

The new doors, windows, and grilles are compatible with the original resource because they are installed within existing openings and maintain the historic relationship between walls and openings. The new doors do not modify the location of existing entries or otherwise impact circulation patterns. The transom grilles proposed on the east elevation are located a minimum of 10' above adjacent grade (behind a fabric awning) and will not impact the quality of the pedestrian environment. The property is not located within a Historic or Conservation District.

Therefore, these criteria are met.

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. (A) Portland Personality, addresses design issues and elements that reinforce and enhance Portland's character. (B) Pedestrian Emphasis, addresses design issues and elements that contribute to a successful pedestrian environment. (C) Project Design, addresses specific building characteristics and their relationships to the public environment. (D) Special Areas, provides design guidelines for the four special areas of the Central City.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City are as follows:

- **1.** Encourage urban design excellence in the Central City;
- **2.** Integrate urban design and preservation of our heritage into the development process;
- **3.** Enhance the character of the Central City's districts;
- **4.** Promote the development of diversity and areas of special character within the Central City;
- **5.** Establish an urban design relationship between the Central City's districts and the Central City as a whole;
- **6.** Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
- **7.** Provide for the humanization of the Central City through promotion of the arts;
- **8.** Assist in creating a 24-hour Central City which is safe, humane and prosperous;
- **9.** Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.

- **A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.
- **A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

Findings for A4 and A6:

The removal of non-original and dissimilar storefront systems on three elevations of the landmark building to be replaced with new matching storefront systems in their existing locations on each elevation provides a unifying element that will provide additional clarity and organization to the building from its current condition. An additional unifying element is the proposed use of decorative grilles on the east elevation which are referenced from existing original decorative grilles also on the landmark building's east elevation.

Proposed alterations remove existing non-original materials and replace with new unifying features in the same locations on the building allowing continued access and use of the landmark structure.

Therefore, these criteria are met.

A5. Enhance, Embellish, and Identify Areas. Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

Findings:

The landmark building is adjacent to O'Bryant Square Park to the west, a gem of the park system and an integral link in the string of parks running through the Central City that includes Ankeny Square and the North Park Blocks (to the north) and the South Park Blocks and Director's Park (to the south). The string of parks and open space (broadly) and O'Bryant Square Park (specifically) are most successfully integrated with the landmark building with strong visual connections between the people in the building and the people in the park and open space. This strong outdoor system of parks and open space area needs to feel safe and inviting to the users; this responsibility is particularly critical due to existing noncompliant sites to the north and west of the park, which include no visual connections and integration with O'Bryant Square Park.

Due to the importance of the building's needing to maintain strong connections and views in order to continue to integrate O'Bryant Square Park with The Pittock Block, and the barrier the proposed display windows would have on this connection, two *Conditions of Approval* have been included: first, the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details; second, all glazing for the proposed new window and door systems (on all elevations) will be clear glazing.

Therefore, with the following two Conditions of Approval that: (one) the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details. AND (two) that all glazing for the proposed window and door systems will be clear glazing, these guidelines have been met.

A7. Establish and Maintain a Sense of Urban Enclosure. Define public rights-of-way by creating and maintaining a sense of urban enclosure.

Findings:

Proposed door alterations will not impact or alter the sense of urban enclosure. This is because proposed alterations to doors on the west, south, and east elevations will continue to be recessed in the existing entryways and because the doors' locations in the building wall plane will match existing.

However, while the proposed alterations to windows on the east elevation, which remove nine existing windows to be replaced with new display windows in the same locations, will not change the wall plane on this elevation, the proposed alterations do not allow connections between the landmark building and O'Bryant Square Park to the west. Because the proposed display windows reduce clear visual connections into the adjacent park the ability to, "emphasize the urban qualities of the Central City's parks and plazas" is also reduced. In turn, reducing clear visual connections from the landmark building to the park, which already suffers from poor integration and connection from sites to the north and east, has the additional potential to "develop the character of the public rights-

of-way" in a negative direction.

As stated previously, due to the importance of the building's needing to maintain strong connections and views in order to continue to integrate O'Bryant Square Park with The Pittock Block, and the barrier the proposed display windows would have on this connection, two *Conditions of Approval* have been included: first, the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details; second, all glazing for the proposed new window and door systems (on all elevations) will be clear glazing.

Therefore, with the following two Conditions of Approval that: (one) the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details. AND (two) that all glazing for the proposed window and door systems will be clear glazing, these guidelines have been met.

A8. Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

Findings:

Proposed alterations to windows on the east elevation (removing nine existing windows to be replaced with new display windows in the same locations), reduces approximately 480 sqft of existing clear glazing that can allow for strong visual connections to the adjacent public rights-of-way as well as to O'Bryant Square Park to the west. Installing display windows in these three central bays reduces the visible "human activity" from this portion of the building effectively creating an urban void for pedestrians at the sidewalk level and in the adjacent city park.

Additionally, while the CX (Central Commercial) Base Zone allows display windows as a "qualifying window feature" (to meet the Ground Floor Windows requirement), the Central City Plan District section of the Portland Zoning Code (PZC) is silent on allowing display cases as "qualifying window features". Both code section purpose statements echo the above guideline stating windows in street facing facades:

- Provide a pleasant, rich, and diverse pedestrian experience by connecting activities
 occurring within a structure to adjacent sidewalk areas, or allowing public art at the
 ground level;
- Encourage continuity of retail and service uses;
- Encourage surveillance opportunities by restricting fortress-like facades at street level; and
- Avoid a monotonous pedestrian environment.

By acknowledging the importance of windows at the ground floor to provide visual connections between the building and the street, as a means to public safety and surveillance, and to provide a "more pleasant pedestrian environment by preventing large expanses of blank facades along streets" the net reduction in windows for the installation of display windows does not meet the above guidelines nor the purpose statements of either the Central City Plan District or the CX Base Zone.

As stated previously, due to the importance of the building's needing to maintain strong connections and views in order to continue to integrate O'Bryant Square Park with The Pittock Block, and the barrier the proposed display windows would have on this connection, two *Conditions of Approval* have been included: first, the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed

windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details; second, all glazing for the proposed new window and door systems (on all elevations) will be clear glazing.

Therefore, with the following two Conditions of Approval that: (one) the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details. AND (two) that all glazing for the proposed window and door systems will be clear glazing, these guidelines have been met.

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

Findings:

Proposed alterations to remove existing windows in the three central bays on the east elevation to be replaced with decorative metal grilles and display windows in the same location do not reinforce and enhance the pedestrian system along the east frontage of the building or in the adjacent park (O'Bryant Square Park) to the east. Proposed display windows reduce, "the continuity of the system, as well as the visual connections from one area to another", in this case the continuity of the visual connections from the building to the public right-of-way and adjacent city park. While display windows are mentioned in this guideline, it is for the Justice Center which is a unique public safety building with a significantly different interior program and with no park area or open space facing the display windows. In addition, display windows are used in the Justice Center along building frontages where windows could not be used: i.e. views into ramps to below grade parking. Regardless, windows with clear glazing o active interior spaces clearly serve the intention of this guideline, allowing visual connections as a primary means of continuity in the pedestrian system.

As stated previously, due to the importance of the building's needing to maintain strong connections and views in order to continue to integrate O'Bryant Square Park with The Pittock Block, and the barrier the proposed display windows would have on this connection, two *Conditions of Approval* have been included: first, the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details; second, all glazing for the proposed new window and door systems (on all elevations) will be clear glazing.

Therefore, with the following two Conditions of Approval that: (one) the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details. AND (two) that all glazing for the proposed window and door systems will be clear glazing, these guidelines have been met.

B4. Provide Stopping and Viewing Places. Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.

Findings:

The proposed alterations to the landmark building do not include new seating or areas for pedestrians to "people watch". By extension, the proposal to remove nine existing

windows on the east elevation to be replaced with decorative metal grilles and display windows in the same location is not a response that enhances existing stopping and viewing places. As mentioned in this guideline, "it is preferable to incorporate ground-floor windows that offer views into active-use spaces," such as the adjacent sidewalk right-of-way, and O'Bryant Square Park.

As stated previously, due to the importance of the building's needing to maintain strong connections and views in order to continue to integrate O'Bryant Square Park with The Pittock Block, and the barrier the proposed display windows would have on this connection, two *Conditions of Approval* have been included: first, the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details; second, all glazing for the proposed new window and door systems (on all elevations) will be clear glazing.

Therefore, with the following two Conditions of Approval that: (one) the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details. AND (two) that all glazing for the proposed window and door systems will be clear glazing, these guidelines have been met.

B5. Make Plazas, Parks and Open Space Successful. Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

Findings:

Alterations to The Pittock Block landmark building are largely consistent with existing materials being replaced: Existing non-original storefront systems being removed are being replaced with new sliding door systems of the same dimension in the same locations. Dissimilar storefront systems are being replaced with a consistent sliding door system providing continuity to three of the building's entrances. In addition, storefront systems and material finishes (dark bronze) are consistent with existing finishes on the building. Proposed entry door systems maintain the existing amount glazing so clear visibility and sightlines from the sidewalk to the building, at the entrances, will not be altered.

However, the proposed alterations to the east elevation's central three bays: removing nine windows (for a total of approximately 480 sqft of existing clear glazing) to be replaced with new ornamental louvers and display windows, greatly diminish the visual connections between the building and the sidewalk. In addition, and more importantly, removing the existing windows on this elevation and replacing them with display windows significantly reduces the visual connections between the building and the adjacent city park to the east, O'Bryant Square Park. Guideline B5 specifically states that, "Plazas, parks, and open spaces are crucial amenities of the Central City", and that, "These open spaces provide visual and physical relief from the built environment." Reducing the direct visual connection to the park minimizes the different uses and character of the adjacent open space ultimately having a negative impact on the success of the park. In addition, the removal of nine windows and the installation of display windows ensures less visibility on the park and a reduction in the "windows facing the open space that provide an indirect level of security to the park area".

For the mentioned reasons the following two *Conditions of Approval* have been included: first, the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not

display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details; second, all glazing for the proposed new window and door systems (on all elevations) will be clear glazing.

Therefore, with the following two Conditions of Approval that: (one) the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details. AND (two) that all glazing for the proposed window and door systems will be clear glazing, these guidelines have been met.

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

Findings:

The mechanical system ventilation requirements are accommodated at the new decorative transom grilles located above the proposed new windows on the east elevation. The ventilation grilles are for intake air only, meaning that no exhaust or fumes will be emitted near the sidewalk. The bottom of the proposed ventilation grilles are a minimum of 10' above adjacent grade, minimizing visual impact at the pedestrian scale.

Therefore, this guideline is met.

B6. Develop Weather Protection. Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

Findings: The proposed alterations preserve canopies above sidewalk windows and covered entries into the lobby providing pedestrians a high degree of weather protection. To ensure the existing amount of pedestrian coverage remains and will not be reduced, a *Condition of Approval* is added to require at least the same amount of existing pedestrian coverage will remain after this storefront remodel is completed.

Therefore, with the Condition of Approval that the amount of existing pedestrian coverage will remain and not be reduced after this storefront remodel is completed, these guidelines have been met.

B7. Integrate Barrier-Free Design. Integrate access systems for all people with the building's overall design concept.

Findings: The proposed new storefront systems on the east, west, and south elevations, replacing existing non-original storefront systems are new automatic sliding entry doors that will provide improved building access for people of all abilities. The new entries are integrated into the historic context by maintaining existing opening sizes and matching adjacent finishes.

Therefore, this guideline is met.

C1. Enhance View Opportunities. Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

Findings:

Because proposed new doors on the west, south, and east elevations will not reduce the

amount of glazing and transparency from existing doors, and because new doors will be located in the same wall plane and area of the entry recesses as existing, view opportunities will not be reduced.

However, the proposed alterations to windows on the east elevation, which removes nine existing windows to be replaced with new decorative louver grilles and display windows in the same locations, will not enhance view opportunities as directed by this Guideline. The Guideline addresses the value of existing views, stating, "The protection and enhancement of (Central City) views, as well as the creation of new views from public open spaces and/or buildings, helps to orient pedestrians moving through the Central City." In addition, the Guideline states that it may accomplished by, "Taking advantage of locations that front onto public spaces for new view opportunities.", and "Developing buildings to incorporate visual connections with adjacent public spaces.", and "Enhancing views to significant features." The proposed reduction of approximately 480 sqft of existing clear glazing and windows from this elevation which is directly fronting O'Bryant Square Park to the west is in stark contrast to the intent of the Guideline.

As stated previously, due to the importance of the building's needing to maintain strong connections and views in order to continue to integrate O'Bryant Square Park with The Pittock Block, and the barrier the proposed display windows would have on this connection, two *Conditions of Approval* have been included: first, the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details; second, all glazing for the proposed new window and door systems (on all elevations) will be clear glazing.

Therefore, with the following two Conditions of Approval that: (one) the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details. AND (two) that all glazing for the proposed window and door systems will be clear glazing, these guidelines have been met.

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

Findings:

Proposed alterations organize and unify the building's ground floors along the east, west, and south elevations through the installation of storefront systems with constant scale, material, glazing, and dimension. This is achieved largely through the installation of uniform high-quality metal storefront systems with consistent finish and dimensioning. Proposed storefront systems will be installed in existing openings and new windows will be installed maintaining existing sill and head heights. New storefront systems are dark metal finish to compliment the architectural style of the building (and similar surrounding buildings). A *Condition of Approval* will be added to ensure a dark metal finish for the storefront and window frames.

Therefore, with the Condition of Approval that the storefront systems and windows are a dark metal finish, these guidelines have been met.

C3. Respect Architectural Integrity. Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

The proposed alterations to the entry doors on the west, south, and east elevations of The Pittock Block landmark are located in the existing recesses and wall planes of the existing doors on the building to be removed. These proposed alterations maintain the character

and integrity of the building in these locations. However, proposed alterations to the nine existing windows on the east elevation do have a negative impact to the architectural integrity of the building on this elevation. This is both because of the prominence of the bays in question (they are the central bays on this elevation, flanked on each side with an entrance bay) and because of the absence of existing display windows on this elevation of the building. Because of the proposed display windows being dissimilar from the established pattern of windows along this elevation and being incompatible with the original façade composition the following two *Conditions of Approval* have been included: first, the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details; second, all glazing for the proposed new window and door systems (on all elevations) will be clear glazing.

Therefore, with the following two Conditions of Approval that: (one) the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details. AND (two) that all glazing for the proposed window and door systems will be clear glazing, these guidelines have been met.

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings:

The proposed alterations to the landmark building integrate with the existing building by maintaining the relationship between exterior walls and openings, by matching existing finish colors, and by incorporating historic patterns. The new doors, windows, and transom grilles all occur within existing rough openings. The frames of the doors, windows, and transom grilles will be finished to match adjacent similar components. At the storefront windows and grilles, a dark bronze will match the other window frames on that façade. The east and west entry doors will also feature a dark bronze frame to match existing storefronts. The main entry door on SW Washington will be custom painted to match the adjacent transoms.

Therefore, this guideline is met.

C6. Develop Transitions between Buildings and Public Spaces. Develop transitions between private development and public open space. Use site design features such as movement zones, landscape element, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

Findings:

While proposed entry doors on the east, west, and south elevations are proposed to be removed and replaced with new sliding doors in the same location as existing, the existing entry recess sequence will not be altered with the installation of new storefront systems in these locations.

Therefore, this guideline is met.

C7. Design Corners that Build Active Intersections. Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

Findings:

The proposed scope of work does not modify the existing building's corners. The midblock entries will be maintained in their current locations on SW Washington, 9th Ave., and 10th Ave.

Therefore, this quideline is met.

C8. Differentiate the Sidewalk-Level of Buildings. Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

Findings:

The sidewalk level defining characteristics of the existing building will not be modified. Existing awnings will be preserved, and new doors, windows, and transoms will occur within existing rough openings to maintain the ground floor scale.

Therefore, this guideline is met.

C9. Develop Flexible Sidewalk-Level Spaces. Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

Findings:

This Guideline states:

Active building uses at the sidewalk-level are critical to the development of an active pedestrian environment. Sidewalk-level spaces maintain their utility over time when they are designed to be able to accommodate a variety of uses and tenants. The development of usable sidewalk-level floorplans, the use of well-integrated structural members, and the incorporation of good physical and visual connections to the sidewalk provide for the flexibility of sidewalk-level spaces. These spaces significantly contribute to the vitality of the Central City's pedestrian network by accommodating a variety of active uses including, but not limited to, retail shops, cafes, restaurants, and galleries."

The proposal, amounting to approximately 480 sqft of existing clear glazing on the east elevation, which fronts O'Bryant Square Park, for the installation of new decorative metal grilles and display windows in the same locations negatively impacts and is not consistent with this Guideline. This is because proposed interior alterations which raise the floor level and install display windows results in limiting the flexibility of future development to the exterior of the bays in questions.

Because of the proposed negative effect that the proposed display windows will have in developing flexible sidewalk-level spaces, as stated previously, two *Conditions of Approval* have been included: first, the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details; second, all glazing for the proposed new window and door systems (on all elevations) will be clear glazing.

Therefore, with the following two Conditions of Approval that: (one) the nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details. AND (two) that all glazing for the proposed window and door systems will be clear glazing, these guidelines have been met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The proposed alterations to the exterior of the landmark building historically known as The Pittock Block located in the West End Subdistrict, of the Central City Plan District, with applied Conditions of Approval, maintains the architectural integrity of the building while allowing for additional uses within and ensures a safe and active public realm including adjacent sidewalks and O'Bryant Square.

The historic review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. As indicated in detail in the findings above, and with the noted Conditions of Approval, the proposal meets the applicable guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of proposed alterations to the west, south, and east elevations of The Pittock Block landmark building.

The applicant may move forward with one of the two proposed Options in their entirety:

- **Option A**: Storefront alterations at the three entry locations and east façade storefront changes with <u>all</u> *Conditions of Approval* listed below applying.
- **Option B**: Storefront alterations at the three entry locations and <u>no</u> alterations to the proposed nine windows on the east façade with <u>all</u> *Conditions of Approval* listed below applying.

Approval, per the approved site plans, Exhibits C-1 through C-10, signed and dated January 12, 2022, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through G) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE Case File LU 21-086690 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (https://www.portlandoregon.gov/bds/article/623658) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. The nine windows in the central 3 bays flanked by the 2 entry bays on the east elevation shall be fully glazed windows with views into the building's interior, and not display windows. The existing windows may be removed and proposed decorative metal grilles can be added as shown in the approved exterior window details.
- D. Glazing at all proposed window and door systems will be clear glazing.

- E. The amount of existing pedestrian coverage will remain and not be reduced after this storefront remodel is completed.
- F. Storefront systems and windows are a dark metal finish.
- G. NO FIELD CHANGES ALLOWED.

Staff Planner: Arthur Graves

Decision rendered by: ______ on January 12, 2022.

By authority of the Director of the Bureau of Development Services

Decision mailed: January 21, 2022.

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on September 14, 2021, and was determined to be complete on November 5, 2021.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore, this application was reviewed against the Zoning Code in effect on September 14, 2021.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended 14 days (see Exhibit A-3). Unless further extended by the applicant, **the 120 days will expire on: March 19, 2022.**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Landmarks Commission, and if appealed a hearing will be held. The appeal application form can be accessed at https://www.portlandoregon.gov/bds/45477. Appeals must be received **by 4:30 PM on**

February 04, 2022. The completed appeal application form must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision. If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. An appeal fee of \$250 will be charged. Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for Office of Community and Civic Life recognized organizations for the appeal of Type II and IIx decisions on property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at https://www.portland.gov. A digital copy of the Portland Zoning Code is available online at https://www.portlandoregon.gov/zoningcode.

Attending the hearing. If this decision is appealed, an appeal hearing will be held at 1:30pm on Monday, February 28, 2022 – please see the front page of this notice for additional information. The decision of the Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

• *Unless appealed*, the final decision will be recorded on or after **February 07, 2022** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

All conditions imposed herein;

- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 - 1. Initial Submittal: September 14, 2021
 - 2. Response to Incomplete Letter: November 02, 2021
 - 3. Waiver: December 13, 2021
- B. Zoning Map (attached)
- C. Plans/Drawings:

1. Site Plan (attached)

2. Roof Plan

North Elevation (attached)
 South Elevation (attached)
 West Elevation (attached)
 East Elevation (attached)

- 7. Details
- 8. Cut Sheets
- 9. Cut Sheets
- 10. Ground Floor Windows Diagram
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Development Services- Site Development: Jason Butler-Brown, November 24, 2021.
 - 2. Portland Bureau of Transportation: Tammy Boren-King, November 29, 2021.
 - 3. Water Bureau: Michael Puckett, December 09, 2021.
 - 4. Fire Bureau: Dawn Krantz, December 10, 2021.
 - 5. Bureau of Environmental Services: Abigail Cermak, December 13, 2021.
 - 6. Bureau of Development Services Life Safety/Building Code Section: Tara Carlson, December 16, 2021.
- F. Correspondence: None Received
- G. Other:
 - 1. Original LU Application
 - 2. Oregon Historic Site Record
 - 3. Incomplete Letter: October 14, 2021

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).